

Rule 1002-1. Commencement of Case.

(A) Petition Requirements. At the time of filing, each voluntary petition shall:

- (1)** be accompanied by the appropriate number of copies and comply with any other requirements as set forth in the “Clerk’s Filing Instructions”;
- (2)** if the case is being filed after dismissal of the debtor’s previous case by any bankruptcy court, be accompanied by a copy of the dismissal order and any other orders which set forth the conditions under which the subsequent case may be filed.

[Comment: See also Bankruptcy Rules 1002, 1007 (schedules), and 9009 (official forms), and Local Rules 1006-1 (installment payments), 1074-1 (corporations), 5080-1 and 5081-1 (filing fees), 5005-1(B) (place of filing), 5005-3, 5005-4, 9004-1, 9004-2, and 9011-4 (form requirements), 2090-1 (representation by attorney), and 9010-1(B)(1) (corporations, partnerships, trusts, and other business entities must be represented by counsel).]

(B) Clerk Authorized to Refuse for Filing Certain Voluntary Petitions.

The clerk shall not accept for filing:

- (1)** any voluntary petition presented for filing by a debtor who had a prior case dismissed by an order which prohibited the debtor from filing for a period of time that has not yet expired, or where a court order sets forth conditions for refiling and those conditions have not been met; or
- (2)** any voluntary petition presented for filing by a debtor which is accompanied by an application to pay filing and administrative fees in installments if filing fees remain due from any previous case filed by that debtor unless the application is accompanied by payment of all previously due fees.

[Comment: See also Local Rule 1006-1(C)(1) (refusal of petitions).]